## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

PNC BANK, N.A. and	§	
COLUMBIA HOUSING SLP	§	
CORPORATION, as partners in	§	
2013 Travis Oak Creek, LP, and	§	
2013 TRAVIS OAK CREEK, LP	§	
	§	
Plaintiffs,	§	Civil Action No. 3:17-cv-01521
	§	
<b>v.</b>	§	
2013 TRAVIS OAK CREEK GP, LLC,	§ §	
2013 TRAVIS OAK CREEK	§	
DEVELOPER, INC.,	§	
CHULA INVESTMENTS, LTD.,	§	
and RENE O. CAMPOS	§	
	§	
Defendants.	§	

## NOTICE OF FILING OF ORDER STAYING RELATED CASE IN THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

Plaintiffs PNC Bank, N.A. ("PNC") and Columbia Housing SLP Corporation ("Columbia Housing") respectfully submit this Notice of Filing to the Court.

On June 8, 2017, PNC and Columbia Housing filed the instant lawsuit. On the morning of June 9, 2017, they added 2013 Travis Oak Creek, LP as a named plaintiff.

On June 9, 2017, Defendant 2013 Travis Oak Creek GP, LLC, both for itself and purportedly on behalf of 2013 Travis Oak Creek, LP, filed an action in state district court in Travis County, Texas seeking the appointment of a receiver and entry of injunctive relief against PNC and Columbia Housing (the "Second-Filed Action"). On that same date, PNC and Columbia Housing removed the Second-Filed Action to the U.S. District Court for the Western District of Texas, where it was assigned to the Honorable Robert Pitman, U.S. District Judge.

On June 13, 2017, Judge Pitman held a hearing on 2013 Travis Oak Creek GP, LLC's applications for interim relief in the Second-Filed Action. At the conclusion of that hearing, Judge Pitman held that the first filed rule applies to the Second-Filed Action and that the pending questions in the case should be decided by this Court as the forum of the first filed case.

On June 14, 2017, Judge Pitman entered a written order holding that the first filed rule applied and staying the Second-Filed Action pending a further determination by this Court. A copy of that order is attached as **Exhibit A**. PNC and Columbia Housing respectfully request that the Court take judicial notice of that order.

Dated: June 14, 2017. By: /s/ Robert M. Hoffman

Robert M. Hoffman Texas Bar No. 09788200

 $\underline{robhoffman@andrewskurth.com}$ 

James C. Bookhout Texas Bar No. 24087187

jamesbookhout@andrewskurth.com

ANDREWS KURTH KENYON LLP

1717 Main Street, Suite 3700

Dallas, Texas 75201

Telephone: (214) 659-4400 Facsimile: (214) 659-4401

ATTORNEYS FOR PLAINTIFFS PNC BANK, N.A., COLUMBIA HOUSING SLP CORPORATION, AND 2013 TRAVIS OAK CREEK, LP

## **CERTIFICATE OF SERVICE**

I certify that on June 14, 2017, a copy of the foregoing document was served on counsel for the Defendants in this case via email and on all counsel of record via the Court's CM/ECF facilities.

/s/ Robert M. Hoffman
Robert M. Hoffman